

Thomas-Jensen Affirmation

Exhibit # 49

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK; et al.,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States; et al.,

Defendants.

C.A. No. 1:25-cv-00039-JJM-PAS

DECLARATION OF LEAH J. LARAMEE

I, Leah J. Laramee, declare as follows:

1. I am a resident of the State of Hawai‘i. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am currently employed by the Department of Land and Natural Resources (“DLNR”) as the DLNR Climate Change Mitigation and Adaptation Coordinator.

3. The DLNR is responsible for enhancing, protecting, conserving, and managing Hawai‘i’s unique and limited natural, cultural, and historic resources held in public trust for current and future generations of the people of Hawai‘i nei, and its visitors, in partnership with others from the public and private sectors.

4. As the DLNR Climate Change Mitigation and Adaptation Coordinator, I oversee the Climate Change Mitigation and Adaptation Commission (“CCMAC”) budget.

5. The CCMAC was created as Hawai'i's initiative to promote ambitious, climate-neutral, culturally responsive strategies for climate change adaptation and mitigation in a manner that is clean, equitable, and resilient.

6. The majority of the CCMAC budget is dependent on a federal grant awarded through the Environmental Protection Agency's ("EPA") Climate Pollution Reduction Program, Federal Award Identification Number 5D98T67001 ("Grant No. 5D98T67001").

7. There is currently \$1,994,700.34 remaining in Grant No. 5D98T67001.

8. The majority of the CCMAC budget for this year relies on Grant No. 5D98T67001.

9. Based on the anticipated receipt of funds from Grant No. 5D98T67001, the CCMAC made plans and allocated funds, including funding allocation for staffing of five full-time positions and funding to support statewide climate change mitigation planning that would support improved health, affordability, equity and safety of visitors and residents of Hawai'i.

10. Without Grant No. 5D98T67001, the CCMAC cannot pay its five full-time employees, its current contracts, and it cannot put into action any of its climate change mitigation plans.

11. The CCMAC draws down approximately \$100,000 from Grant No. 5D98T67001 every two months to pay its five full-time employees. These five full-time employees are paid for work completed, so the money drawn down from Grant No. 5D98T67001 is a reimbursement.

12. The CCMAC anticipated accessing Grant No. 5D98T67001 approximately three times a month for the rest of the grant period.

13. The CCMAC has been unable to access Grant No. 5D98T67001 since January 28, 2025.

14. The University of Hawai‘i has been paying the CCMAC’s five full-time employees out of pocket since January 28, 2025.

15. The CCMAC has submitted four invoices to the Bureau of the Fiscal Service’s Automated Standard Application for Payments that have not been processed. The CCMAC has three more invoices that are ready to be submitted.

16. Without the five full-time positions, the CCMAC cannot effectively institute mitigation measures for the state, including protecting against potential harms from increased weather events and protection for the health, safety, and welfare of Hawai‘i’s residents.

17. The CCMAC is also concerned that contractors may not be interested in working with the CCMAC in the future if it is unable to pay its current contractors.

18. Attached hereto as Exhibit “A” is a true and correct copy of correspondence between myself, DLNR accountants, and EPA staff between January 29, 2025 and February 4, 2025 about access to Grant No. 5D98T67001.

19. We continue to be concerned that the funding will again be delayed or denied because despite communications from the EPA indicating that the DLNR should have access restored to Grant No. 5D98T67001, *see* Ex. A, we are still unable to access funds from Grant No. 5D98T67001.

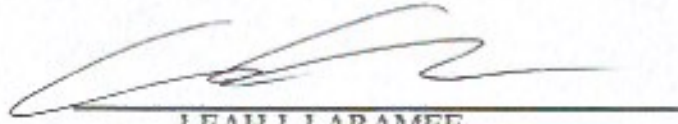
20. If the federal funding is again paused, blocked, denied or delayed suddenly, the CCMAC cannot pay its five full-time employees or contracts, and it cannot implement future plans or contracts.

I declare under penalty of perjury that the foregoing is true and correct.

//

//

Executed on February 4, 2025, at Honolulu, Hawai'i.



LEAH J. LARAMEE

EXHIBIT A TO LARAMEE DECLARATION

From: [REDACTED]
To: [REDACTED]
Subject: ASAP Draw Down Status
Date: Tuesday, February 4, 2025 11:39:22 AM
Attachments: [image001.png](#)
[Outlook-fdcku1dl.png](#)
[Outlook-e4hb5vhr.png](#)
[Outlook-ea355t5w.png](#)
[Outlook-gq3cynho.png](#)
[Outlook-gmogvohx.png](#)
[Outlook-nfqpmuhb.png](#)

Mahalo,

Leah Laramée



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Climate Change Coordinator

Hawai'i Climate Change Mitigation & Adaptation Commission

State of Hawai'i

Phone: [REDACTED]

climate.hawaii.gov

Facebook: @HIClimate

Instagram: @HI_Climate



From: Laramée, Leah J [REDACTED]@hawaii.gov>

Sent: Tuesday, February 4, 2025 11:38 AM

To: [REDACTED]@epa.gov>; [REDACTED]@epa.gov>; [REDACTED]
[REDACTED]@epa.gov>; [REDACTED]@hawaii.gov>; [REDACTED]
[REDACTED]@hawaii.gov>; [REDACTED]@epa.gov>

Cc: [REDACTED]@hawaii.gov>

Subject: Re: ASAP Draw Down Status

Aloha [REDACTED],

We checked this morning and just before I sent the email. Still no access.

Hoping that we do get access soon.

Mahalo,

Leah Laramée



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Climate Change Coordinator

Hawai'i Climate Change Mitigation & Adaptation Commission

State of Hawai'i

Phone: [REDACTED]

climate.hawaii.gov

Facebook: @HIClimate

Instagram: @HI_Climate



From: [REDACTED]@epa.gov>

Sent: Tuesday, February 4, 2025 11:32 AM

To: [REDACTED]@hawaii.gov>; [REDACTED]@epa.gov>; [REDACTED]

[REDACTED]@epa.gov>; [REDACTED]@hawaii.gov>; [REDACTED]

[REDACTED]@hawaii.gov>; [REDACTED]@epa.gov>

Cc: [REDACTED]@hawaii.gov>

Subject: [EXTERNAL] RE: ASAP Draw Down Status

Hello Leah,

It is our understanding that ASAP should be working today. Is there a chance you can try again today and let us know or did you do this already?

Thank you for your patience.

Best,

[REDACTED]

From: [REDACTED]@hawaii.gov>

Sent: Tuesday, February 4, 2025 11:30 AM

To: [REDACTED]@epa.gov>; [REDACTED]

[REDACTED]@epa.gov>; [REDACTED]@hawaii.gov>; [REDACTED]

[REDACTED]@hawaii.gov>; [REDACTED]@epa.gov>; [REDACTED]

[REDACTED]@epa.gov>

Cc: [REDACTED]@hawaii.gov>

Subject: Re: ASAP Draw Down Status

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Aloha [REDACTED],

That is correct we still do not have access to the ASAP account.

Please see attached showing that the funds are still suspended as of writing this email. Do you know when access will be restored?

Mahalo,

Leah Laramée



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Climate Change Coordinator

Hawai'i Climate Change Mitigation & Adaptation Commission

State of Hawai'i

Phone: [REDACTED]

climate.hawaii.gov

Facebook: @HIClimate

Instagram: @HI_Climate



From: [REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>

Sent: Tuesday, February 4, 2025 10:16 AM

To: [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>; [REDACTED]

[REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>; [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>; [REDACTED]

[REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>; [REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>; [REDACTED]

[REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>

Cc: [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>

Subject: [EXTERNAL] RE: ASAP Draw Down Status

Hi Leah,

I apologize for the delay in response, I was waiting for guidance from HQ. Are you still unable to access your ASAP account?

Thank you,

[REDACTED]

[REDACTED] | Grants Management Specialist

U.S. EPA Region 9

Mission Support Division | Grants Branch

[REDACTED]

E: [REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov) **T:** [REDACTED]

From: [REDACTED]@hawaii.gov>

Sent: Thursday, January 30, 2025 3:10 PM

To: [REDACTED]@epa.gov>; [REDACTED]

[REDACTED]@hawaii.gov>; [REDACTED]@epa.gov>; [REDACTED]

[REDACTED]@hawaii.gov>; [REDACTED]@epa.gov>; [REDACTED]

[REDACTED]@epa.gov>

Cc: [REDACTED]@hawaii.gov>

Subject: Re: ASAP Draw Down Status

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Dear [REDACTED] and [REDACTED]

I am writing to you to flag an urgent issue that my organization is facing with respect to our legally-obligated funds. I serve as the Climate Change Coordinator at the Department of Land and Natural Resources, Climate Change Mitigation and Adaptation Commission, which is a primary grantee of the Climate Pollution Reduction Grant. We were able to do 8 drawdowns most recent on 1/22/2025, but as of 1/29/2025 1:54pm (EST), our Climate Pollution Reduction Grant of \$3,000,000 was pulled out of ASAP.gov and is no longer visible. Please see the attached reports from ASAP.

We believe that we should be reinstated in ASAP immediately pursuant to our legally-binding contract. While we understand that there has been an Executive Order issued and OMB Guidance Memo has not only been [successfully challenged in court](#), but rescinded as of 1/29/2025. The court order clarified that, "The Trump administration cannot suspend disbursement of any congressionally appropriated funds until February 3rd at 5pm." And now that the OMB Memo has been fully rescinded, we see no legal reason for withholding our funds in ASAP.

Withholding this money now will cause (and already has caused) "irreparable harm" to the communities that we serve and cost invaluable jobs. We have five (5) full time people that are being supported by this funding and require access to meet payroll. We also have several contracts open or in process and are unclear if we will be able to honor these obligations.

For all of these reasons, we would appreciate your assistance to immediately reinstate our ASAP account so that we can utilize our legally-authorized funds and help the communities across America that we serve. We would appreciate it if you could provide guidance on how

long we can rely on the reinstatement to be sustained so that we have full faith in the ability to access these obligated funds.

If you are unable to reinstate the ASAP program, we request a clear response by email explaining the legal reasons that EPA has to delay reimbursement of federally authorized, legally-obligated funds. Thank you again for your assistance and for all of the hard work you are doing to implement the law.

Mahalo,

Leah Laramée



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Climate Change Coordinator

Hawai'i Climate Change Mitigation & Adaptation Commission

State of Hawai'i

Phone: [REDACTED]

climate.hawaii.gov

Facebook: @HIClimate

Instagram: @HI_Climate



From: [REDACTED] [@hawaii.gov](#)>

Sent: Wednesday, January 29, 2025 9:56 AM

To: [REDACTED] [@epa.gov](#)>; [REDACTED]

[REDACTED] [@hawaii.gov](#)>; [REDACTED] [@epa.gov](#)>; [REDACTED]

[REDACTED] [@hawaii.gov](#)>; [REDACTED] [@epa.gov](#)>; [REDACTED]

[REDACTED] [@epa.gov](#)>

Cc: [REDACTED] [@hawaii.gov](#)>

Subject: Re: ASAP Draw Down Status

Aloha [REDACTED],

Mahalo for your message. I just left you a phone message. I know things are probably quite chaotic over there at the moment but the memo was rescinded [OMB M-25-14.pdf](#) .

Since this previous memo is no longer in effect could you please let us know when you expect the account to be back online?

Mahalo,

Leah Laramée



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Climate Change Coordinator

Hawai'i Climate Change Mitigation & Adaptation Commission

State of Hawai'i

Phone: [REDACTED]

climate.hawaii.gov

Facebook: @HIClimate

Instagram: @HI_Climate



From: [REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>

Sent: Wednesday, January 29, 2025 9:23 AM

To: [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>; [REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>

Cc: [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>; [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>

Subject: [EXTERNAL] RE: ASAP Draw Down Status

Good afternoon [REDACTED],

EPA is working diligently to implement the Office of Management and Budget's memorandum, Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs, to align Federal spending and action with the will of the American people as expressed through President Trump's priorities. The agency is temporarily pausing all activities related to the obligation or disbursement of EPA Federal financial assistance at this time. EPA is continuing to work with OMB as they review processes, policies, and programs, as required by the memorandum.

Respectfully,

[REDACTED]

OCFO-OC-FSD-RTPFD-GSB
Financial Specialist
[REDACTED] Work
[REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)
RTPFC-Grants@epa.gov

[REDACTED]



EPA Finance Home Page: <http://www2.epa.gov/financial> | Search for SF425s:
<https://www.epa.gov/grants/epa-grantee-forms> | Forward payments & SF425s: rtpfc-grants@epa.gov
| Org Email: rtpfc-grants@epa.gov | [RTP-FC Customer Service Survey](#)

From: [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>

Sent: Wednesday, January 29, 2025 2:18 PM

To: [REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>; [REDACTED]

[REDACTED] [@epa.gov](mailto:[REDACTED]@epa.gov)>

Cc: [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>; [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)>

Subject: ASAP Draw Down Status

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Hi [REDACTED],

I currently have 2 invoices needs to process, but our Climate grant (98T67001) account in ASAP is suspended since yesterday afternoon and it is till suspended this morning (HST). Would you let me know if there is a time that the account will be available in ASAP please? Account info as attached.

Thank you,

[REDACTED]

Accountant

Administrative Services Office - Fiscal Office

Department of Land and Natural Resources

Office: [REDACTED]

Email [REDACTED] [@hawaii.gov](mailto:[REDACTED]@hawaii.gov)